

14

Van Jenkins
Reg. No. 172475
2727 East Beecher Road
Adrian, Mich. 49221

Holly A. Monda
Case Manager
U.S. District Court
Eastern District of Michigan
Theodore Levin U.S. Courthouse
231 West Lafayette Blvd.
Detroit, Mich. 48226

12/28/2020

RE: Jenkins V. Access Securepak Co., Case No. 4:19-cv-10738

Dear Case Manager

I direct your attention to the above captioned case. And to the Judge's order dated December 20, 2019 page 6. Where the Judge stated quote; Jenkins may not be in a position to identify the proper defendants, but it is the duty of the District Court to assist him to make the necessary investigation. unquote.

The attached writ of subpoena has been served upon the Manager Pam Mueller - Access Securepak Co. as the information involving the identity of those involved. The Assistant Attorney General according to MCL 445.907 is mediating this matter of investigation as the defendants refuse to comply with court orders.

Copies of the defendants' subpoena response shall be provided to your office. If the defendants fail to do so within 14 days. I request to be provided with the U.S. Marshal Service Forms - please provide 4 forms.

Thank you.

Van Jenkins
C.C. File
Enclosures: Subpoena

Michigan Department of Corrections
Housing Unit Log / Callout Report
Callout Log for Unit : C-Unit
Sorted By: Offender Number

Callout date :12/21/2020

Start/Depart/Init.	End/Return/Init.	Lock	Number	Name	To	Room
Itinerary Notes						
0755/	0800/	058Bot	599685	Sharp, James Glenn	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
0800/	0845/	058Bot	599685	Sharp, James Glenn	Food Service Officer South	
WORK DETAIL						
1000/	1255/	058Bot	599685	Sharp, James Glenn	Food Service Officer South	
WORK DETAIL						
1255/	1300/	058Bot	599685	Sharp, James Glenn	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
1300/	1415/	058Bot	599685	Sharp, James Glenn	Food Service Officer South	
WORK DETAIL						
1955/	2000/	058Bot	599685	Sharp, James Glenn	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
0730/	1030/	105Top	618939	HOWARD, SHANNON R	Health Care Officer	
WORK DETAIL - HEALTH CARE NORTH - MAY BE CALLED OUT TO WORK AT OTHER TIMES AS NECESSARY AND AS APPROVED BY CONTROL CENTER - EARLY BREAKFAST AUTHORIZED MON, TUE, WED, THU. THRU COUNT SUN-MON-TUES						
1415/	1700/	105Top	618939	HOWARD, SHANNON R	Health Care Officer	
WORK DETAIL - HEALTH CARE NORTH - MAY BE CALLED OUT TO WORK AT OTHER TIMES AS NECESSARY AND AS APPROVED BY CONTROL CENTER - EARLY BREAKFAST AUTHORIZED MON, TUE, WED, THU. THRU COUNT SUN-MON-TUES						
1730/	2200/	076Bot	628156	Bell, Marcus DionneJuan	C-Unit	
SANITIZING PORTER - COMMON AREAS OF HOUSING UNIT. DETAIL NOT THROUGH COUNT.						

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Van Jenkins #172475)
 Plaintiff)
 v.)
Pam Mueller, manager)
Access Securepak Company, et al.)
 Defendant)

Civil Action No. 4:19-cv-10738SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: Pam Mueller, manager of Access Securepak Co. 10880 Lin Page Ave St. Louis, MO 63132
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Based on attached Affidavit Notice & Subpoena to produce documents, information, or objects or to permit inspection of premises in a civil action and the attached order granting in part Plaintiff's motion to vacate page 7 paragraph 2 and 3;

Place: Van Jenkins
Reg. No. 172475
2727 East Beecher Road
Adrian, Mich. 49221

Date and Time: 1/10/2021 5:00 P.M.

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/9/20

DAVID J. WEAVER, CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party)

, who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

United States District Court
For The United States District
of Michigan
Southern Division

Van Jenkins
Reg. No. 172475
Plaintiff,

Civil Case No.
4:19-CV-10738

V.S.

Pam Mueller, Manager
Access Securepak company
Michigan Dept. of Corrections
Defendants.

Affidavit of Subpoena

The attached court order page 7 paragraph 2 Discovery is ordered by the court and that names as defendants those individuals who were directly involved in the alleged return of Plaintiff's package(s) to Securepak and/or who were directly involved in any other alleged violation of his constitutional rights. The attached subpoena is for this purposes

Information is being requested involving the selected inspired by Gucci power up cologne Body Wash Bar No. 0-8738-12513-3 where some form of Acid from the cologne Body Wash burn the skin around the neck while in the Parnall Correctional facility, where the doctor prescribed Betamethasone Valerate ointment information is requested who is involved, how the substance got into the Body Wash and what Access Securepak company plan to do about this incident.

That the Access Securepak company disclose the below involvement with the process of the below store items listed. in order for the Securepak store order be sent back to Access in this process of the policy must be carried out PD. 04.02.135 And PD. 04.02.135 that was circumvented PD. 04.02.135 (L) a prisoner must be found at a misconduct Hearing or personal property Hearing to be knowingly involved in sending or receiving a Friend And Family package order in violation of the policy shall be prohibited from purchasing or receiving items

through the Friends And Family package program. No misconduct was ~~was~~ wrote nor any hearing conducted to allow for cancellation of the Securepak store order to be made. This is a due process requiring Access Securepak company not only to return money paid but to deliver the store items. Under the subpoena the merchandise and the information on individuals who were involved as the court has ordered in the court order and subpoena attached the below questions and all from the I.D. Numbers below:

1. Full name as to who placed the Securepak store order?
2. Why was the order processed?
3. Who processed the order?
4. Who delivered the order?
5. Who cancelled the order? Why?
6. Who ordered the order returned? Why?
7. Was there a misconduct written on specific policy violation in order to cancel the store order? Why?
8. How long do it take to process and deliver store items

<u>order Date</u>	<u>program Number</u>
8/29/2018	12272126
9/15/2020	16468149
4/6/2020	15610311
10/4/2020	16629358

Access Securepak company has according to court Rule and statutory provisions have 14 days to disclose and deliver the objects cited above.
Further Affiant says the not.

12/23/2020
Date

Van Sen Hui
Affiant's signature 28U.S.C.1746

United States District Court
For The Eastern District of Michigan
Southern Division

Van Jenkins # 172475
Plaintiff,

Civil Case No 4:19-cv-10738
Hon. Matthew F. Leitman

VS.

Pam Mueller, Manager
Access Securepak Company
Mich. Dept. of Corrections
Defendant.

Van Jenkins
Reg. No. 172475
2727 East Beecher Road
Adrian, Mich. 49221

Pam Mueller
Manager
Access Securepak Company
10880 Linpage Place
St. Louis, MO. 63132
Tel. (800)-546-6283

Kathleen A. Barton
Reg. No. P45363
Assistant Attorney General
Consumer Protection Division
525 West ~~Washington~~ Ottawa Street
P.O. Box 30213
Lansing, Mich. 48209-0213
Tel. (517)-335-0255
Fax (517)-335-1735

Notice And Obstruction of Complaint In Court Jurisdiction

On the date of February 16, 2019 a Civil Rights case of Action was filed in the United States District Court For The Western District of Missouri; on the date of March 1, 2019 the Missouri U.S. District Court Judge Nannette K. Laughrey issued her order transferring case to the U.S. District Court For The Eastern District of Michigan.

2. On the date of Dec. 20, 2019 the Honorable Matthew F. Leitman, U.S. District Court Judge issue his order directing Plaintiff to file an amendment to his complaint, and directing the Defendants to comply to Discovery and

3. That during discovery the identities of all the individuals involved and the specific role they played in depriving him of his property without due process of law, from Mueller and other Defendants have tolled the statute of Limitations when not timely complying to the court's Discovery order(s); see Equitable tolling 28 U.S.C. 2401.

4. The Defendants now look forward to discovery information involving several transactions within the following contents set forth in the following transactions:

Order date	Program	MDOC Fee	WEB	\$	Order Status
8/29/2018	order No. 12272126	"	"	" \$101.92	Invoiced Cancelled
9/5/2020	16468149	"	"	"	Invoiced
4/6/2020	15610311	"	"	"	Invoiced
10/4/2020	16629358	"	Mail	\$17.91	Invoiced

5. On the kiosk it stated as follows; "We are unable to process your order at this time. Please contact customer Service at 800-546-6283 for securepak order NO. 16629358 \$17.91."

6. In this instant case as it is set forth in Policy Directive PD. 04.02.135(L)(2) states that if the order has been received by the MDOC but has not been delivered to the prisoner the order shall be returned to the vendor with notification of the specific policy violation to allow for cancellation.

7. The manager Mrs. Mueller not the Access Securepak Co. has perform not complied to this policy. MDOC has been returning orders not paid for Securepaks and stating it was not sent or paid for by a family member therefore the MDOC facility has been rejecting the Securepak store items shown in paragraph 4. This constitute due process especially refusing to comply with the court's Discovery order.

8. This court's Discovery order according the Attorney General's authorization to carry out subpoena functions pursuant to 28 U.S.C. 2521; It is being requested that the Defendants

**Michigan Department of Corrections
Housing Unit Log / Callout Report
Callout Log for Unit : C-Unit
Sorted By: Start/Lock**

Callout date : 10/20/2020

Start/Depart/Init.	End/Return/Init.	Lock	Number	Name	To	Room
Itinerary Notes						
1000/	1300/		086Bot	298572 Purchis, Jeffrey Allen		Food Service Officer South
THIS DETAIL NOT THROUGH COUNT.						
1000/	1415/		088Bot	377927 Kittleson, John Glenn		Food Service Officer South
THIS DETAIL NOT THROUGH COUNT.						
1000/	1255/		110Bot	426315 Weems, Deandre Lenard		C-Unit
UC-P11 UNIT PORTER						
1000/	1415/		142Top	540447 Kelsey, James Alexander		Food Service Officer South
WORK DETAIL						
1000/	1300/		148Bot	322144 Williams, Shelton Coneral		C-Unit
UC-P12 UNIT PORTER						
1000/	1415/		142Bot	387751 Thompson, Bryon Duane, Jr		Food Service Officer South
THIS DETAIL NOT THROUGH COUNT.						
1100/	1400/		021Top	848834 Daniels, Terry James, II		C-Unit
UC-P14 UNIT PORTER						
1100/	1400/		129Top	847832 Taylor, James Edward		C-Unit
UC-P13 UNIT PORTER						
1100/	1415/		142Bot	214374 Hagen, Reginald		Food Service Officer South
TO BE COUNTED IN FOOD SERVICE AT 1115 HOURS.						

GUS HARRISON CORRECTIONAL FACILITY

Housing Unit : C-Unit

Offender Daily Schedule

Effective Date : 11/03/2020 (Tuesday)

Offender : 172475- Jenkins, Van

Wing : FH Lock : Bot - 028

Callout / Assignment - Description	Reporting Station	Room	Department	Depart	Arrive	Depart
Medication - Medline window (South)	Medline Window	Medline Window South	Medical/Healthcare		07:55	08:00
Medline window - Prisoner must report when unit is called						
Medication - Medline window (South)	Medline Window	Medline Window South	Medical/Healthcare		19:55	20:00
Medline window - Prisoner must report when unit is called						

VALID ONLY ON THE EFFECTIVE DATE PRINTED ABOVE

**Michigan Department of Corrections
Housing Unit Log / Callout Report
Callout Log for Unit : C-Unit
Sorted By: Offender Number**

Callout date : 12/22/2020

Start/Depart/Init. Itinerary Notes	End/Return/Init.	Lock	Number	Name	To	Room
0755/ Medline window - Prisoner must report when unit is called	0800/	028Bot	172475	Jenkins, Van	MedLine Window	MedLine Window South
1955/ Medline window - Prisoner must report when unit is called	2000/	028Bot	172475	Jenkins, Van	MedLine Window	MedLine Window South
0000/ ON CALL AS NEEDED. NOT TO EXCEED 6 HOURS TOTAL WORK PER DAY DUTIES AS ASSIGNED BY SUPERVISOR. THIS DETAIL NOT THROUGH COUNT.	0530/	146Bot	173080	LEMARR, JOHN ALEX	C-Unit	
1800/ UC-P25 UNIT PORTER	1955/	018Bot	176794	Battle, James		
1955/ Medline window - Prisoner must report when unit is called	2000/	018Bot	176794	Battle, James	MedLine Window	MedLine Window South
2000/ UC-P25 UNIT PORTER	2100/	018Bot	176794	Battle, James		
1400/ UC-P18 UNIT PORTER	1700/	032Bot	180445	YOUNG, THOMAS, JR		
1955/ Medline window - Prisoner must report when unit is called	2000/	032Bot	180445	YOUNG, THOMAS, JR	MedLine Window	MedLine Window South
0700/ DUTIES AS ASSIGNED BY SUPERVISOR. ON CALL AS NEEDED. UC-P35 UNIT PORTER	0755/	062Bot	205792	JACKSON, PAUL EDWARD	C-Unit	

Michigan Department of Corrections
Housing Unit Log / Callout Report
Callout Log for Unit : C-Unit
Sorted By: Offender Number

Callout date : 12/18/2020

Start/Depart/Init.	End/Return/Init.	Lock	Number	Name	To	Room
Itinerary Notes						
1955/	2000/	087Top	228407	NELSON, TIMOTHY Levi	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
1255/	1300/	100Bot	229042	Giamporcaro, Robert Clinton	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
0700/	1000/	043Top	234006	WILLIAMS, CURTIS MAURICE	C-Unit	
UC-P04 UNIT PORTER						
1955/	2000/	043Top	234006	WILLIAMS, CURTIS MAURICE	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
0745/	1045/	083Top	236342	Perry, Wayne Vincent	Control Center South	
May be called out to work when necessary, Will be called by Control Center/Store staff, when needed.						
Authorized early chow - BREAKFAST on working days only. WORK DETAIL						
1230/	1530/	083Top	236342	Perry, Wayne Vincent	Control Center South	
May be called out to work when necessary, Will be called by Control Center/Store staff, when needed.						
Authorized early chow - BREAKFAST on working days only. WORK DETAIL						
1255/	1300/	101Top	248799	Morris, Robert Allen	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						
1900/	1955/	101Top	248799	Morris, Robert Allen	C-Unit	
UC-P27 UNIT PORTER						
1955/	2000/	101Top	248799	Morris, Robert Allen	MedLine Window	MedLine Window South
Medline window - Prisoner must report when unit is called						

Prisoner Name: Van Jenkins

Prisoner Number: 172475

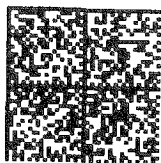
(X) U.S. HARRISON CORRECTIONAL FACILITY
() PARR HIGHWAY CORRECTIONAL FACILITY

2727 E. Beecher St.

Adrian, MI 49221

FILED
FEB 17 2021
U.S. DISTRICT COURT
FLINT, MICHIGAN

*Holly H. Manda
Case manager
U.S. District Court
Eastern District of Michigan
Theodore Levin United States Courthouse
231 West Lafayette Blvd.
Detroit, Mich. 48226*



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